

**MEETING MINUTES**  
**Board of Mental Health Practice**  
January 9, 2015

These minutes were approved by  
the Board on March 13, 2015.

**1. ROLL CALL**

The meeting of the Board of Mental Health Practice was called to order by the Chair, Tom Maxson, at 9:03 a.m. in Lower Level Room F, State Office Building, 301 Centennial Mall South, Lincoln, Nebraska. Copies of the agenda were mailed to the Board members and other interested parties in accordance with the Open Meetings Law. The following members answered the roll call:

Members Present:	Dale Battleson Susan Feyen William Gaughan Alan Green Thomas Maxson Terrance Moore Allison Reisbig Sarita Ruma	Vice-Chair Secretary Member Member Chair Member Member Member
Members Absent:	Susan Meyerle Shari Schnuelle	Member Member
Others Present:	Kris Chiles Julie Agena Barb Remmers Russ Fosler Peggy Pursell Nancy Herdman	Program Manager, Licensure Unit Assistant Attorney General Investigator Investigator Program Manager, Investigations Health Licensing Coordinator, Licensure Unit

A quorum was present and the meeting convened.

Members introduced themselves to new members Green and Moore.

**2. ADOPTION OF AGENDA**

**MOTION:** Battleson moved, seconded by Reisbig, to adopt the agenda. A roll call vote was taken. Voting aye: Battleson, Feyen, Gaughan, Green, Maxson, Moore, Reisbig, Ruma (8). Voting nay: None (0). Absent: Meyerle, Schnuelle (2). Abstain: None (0). Motion carried.

**3. APPROVAL OF MINUTES (11-7-14)**

Battleson suggested that under agenda item 6b, that the sentence relating to the regulations status be revised to end after the words 'Attorney General's Office'.

**MOTION:** Reisbig moved, seconded by Gaughan, to approve the minutes of 11-7-14 with amendments. A roll call vote was taken. Voting aye: Battleson, Gaughan, Maxson, Reisbig, Ruma (5). Voting nay: None (0). Absent: Meyerle, Schnuelle (2). Abstain: Feyen, Green, Moore (3). Motion carried.

**4. INVESTIGATIVE REPORTS AND OTHER CONFIDENTIAL INFORMATION – CLOSED SESSION**

**MOTION:** Battleson moved, seconded by Reisbig, to enter into closed session at 9:12 a.m. to hear discussions of an investigative/confidential nature, and for the prevention of needless injury to the reputation of the individuals. A roll call vote was taken. Voting aye: Battleson, Feyen, Gaughan, Green, Maxson, Moore, Reisbig, Ruma (8). Voting nay: None (0). Absent: Meyerle, Schnuelle (2). Motion carried.

9:16 a.m. - Maxson departed meeting (conflict)  
9:27 a.m. - Maxson entered meeting  
10:19 a.m. - Fosler departed meeting  
10:21 a.m. - Maxson departed meeting (conflict)  
10:40 a.m. - Maxson entered meeting  
11:01 a.m. - Maxson departed meeting (conflict)  
11:05 a.m. - Feyen departed meeting (conflict)  
11:15 a.m. - Ruma, Battleson, Gaughan departed meeting (conflict)  
11:21 a.m. - Break  
11:28 a.m. - Meeting resumed  
Ruma, Battleson, Gaughan, Maxson, Feyen entered meeting  
Remmers and Pursell departed meeting  
11:29 a.m. - Ruma departed meeting (conflict)  
12:21 p.m. - Break  
12:25 p.m. - Meeting resumed, Ruma entered meeting  
12:58 p.m. - Break, Agena departed meeting  
1:05 p.m. - Meeting resumed  
Teresa Hampton and Kevin Greiss, Department attorneys, entered meeting

**MOTION:** Ruma moved, seconded by Gaughan, to enter into open session at 1:37 p.m. A roll call vote was taken. Voting aye: Battleson, Feyen, Gaughan, Green, Maxson, Moore, Reisbig, Ruma (8). Voting nay: None (0). Absent: Meyerle, Schnuelle (2). Motion carried.

## **5. APPLICATION REVIEW AND RECOMMENDATIONS – OPEN SESSION**

### **a. Applications and Reinstatements**

#### **REINSTATMENT:**

**Lynnette Battrell** – LMHP reinstatement following voluntary surrender

**MOTION:** Feyen moved, seconded by Reisbig, to recommend deferral and request additional information. A roll call vote was taken. Voting aye: Battleson, Feyen, Gaughan, Green, Maxson, Moore, Reisbig, Ruma (8). Voting nay: None (0). Abstain: None (0). Absent: Meyerle, Schnuelle (2). Motion carried.

#### **APPLICATIONS (with convictions):**

**Kevin Aase** - PLMHP

**MOTION:** Green moved, seconded by Reisbig, to recommend deferral and request additional information. A roll call vote was taken. Voting aye: Battleson, Feyen, Gaughan, Green, Maxson, Moore, Reisbig, Ruma (8). Voting nay: None (0). Abstain: None (0). Absent: Meyerle, Schnuelle (2). Motion carried.

**Tyler Smith** – PLMHP

**MOTION:** Feyen moved, seconded by Battleson, to recommend approval of the PLMHP. A roll call vote was taken. Voting aye: Battleson, Feyen, Gaughan, Green, Maxson, Moore, Reisbig, Ruma (8). Voting nay: None (0). Abstain: None (0). Absent: Meyerle, Schnuelle (2). Motion carried.

**Karla Sextro** – PLMHP

**MOTION:** Gaughan moved, seconded by Green, to recommend approval of the PLMHP. A roll call vote was taken. Voting aye: Battleson, Feyen, Gaughan, Green, Maxson, Moore, Reisbig, Ruma (8). Voting nay: None (0). Abstain: None (0). Absent: Meyerle, Schnuelle (2). Motion carried.

**Jill Keller** – PLMHP

**MOTION:** Reisbig moved, seconded by Ruma, to recommend approval of the PLMHP. A roll call vote was taken. Voting aye: Battleson, Feyen, Gaughan, Green, Maxson, Moore, Reisbig, Ruma (8). Voting nay: None (0). Abstain: None (0). Absent: Meyerle, Schnuelle (2). Motion carried.

**Daniel Brodsky** – LMHP and CPC via reciprocity

**MOTION:** Battleson moved, seconded by Green, to recommend approval of the LMHP and CPC. A roll call vote was taken. Voting aye: Battleson, Feyen, Gaughan, Green, Maxson, Moore, Reisbig, Ruma (8). Voting nay: None (0). Abstain: None (0). Absent: Meyerle, Schnuelle (2). Motion carried.

**Samuel Edwards** - PLMHP

**MOTION:** Feyen moved, seconded by Battleson, to recommend offering PLMHP/PCMSW with the limitation of providing counseling services only to males 19 years of age or older and no solo practice (may only practice in a setting where other professionals are present); and to recommend offering 5-year probation to include the standard terms and conditions and the following: attend psychotherapy and follow all treatment recommendations; provide treating providers a copy of the psychological evaluation and risk assessment; psychotherapist(s) must provide quarterly reports; sign releases for all providers to obtain copies of any past and future evaluations. A roll call vote was taken. Voting aye: Battleson, Feyen, Green, Maxson, Moore, (5). Voting nay: Gaughan, Reisbig (2). Abstain: Ruma (1). Absent: Meyerle, Schnuelle (2). Motion carried.

Moved to agenda item 9.

## **9. ELECTIONS AND APPOINTMENTS**

### **a. Election of Officers**

**MOTION:** Ruma moved, seconded by Green, to recommend continuing with the same slate of officers. A roll call vote was taken. Voting aye: Battleson, Feyen, Gaughan, Green, Maxson, Moore, Reisbig, Ruma (8). Voting nay: None (0). Abstain: None (0). Absent: Meyerle, Schnuelle (2). Motion carried.

The officers are:

Chair:	Maxson
Vice-Chair:	Battleson
Secretary:	Feyen

### **b. Appointment of Investigative Consultants and Education Reviewers**

The same investigative consultants from 2014 (Maxson and Schunelle) were appointed for 2015. Feyen was appointed as education reviewer with Meyerle as backup.

## **6. UNFINISHED BUSINESS**

### **a. Jurisprudence Examination**

Maxson stated they now have over 50 questions based on the current regulations and the plan is to have the examination finalized in March.

### **b. Status of Regulation 172 NAC 94**

Chiles stated there was nothing new to report and the regulations were awaiting Dr. Acierno's review.

### **c. Other**

There was nothing to report.

## **7. NEW BUSINESS**

### **a. Correspondence**

There was nothing to report.

### **b. Review of Conviction Review Guidelines Document**

This item was held over to the March meeting.

1:57 p.m. - Griess departed meeting

### **c. Other**

There was nothing to report.

## **8. UPDATES AND REPORTS**

### **a. Telepractice Subcommittee Report**

There was nothing to report and it will be placed on the March agenda.

### **b. AASCB / AMFTRB / ASWB / Citizen Advocacy Center / Justice Behavioral Health Committee**

#### **AASCB**

Chiles announced that Meyerle was elected as president-elect.

#### **AMFTRB**

There was nothing to report.

#### **ASWB**

There was nothing to report.

#### **Citizen Advocacy Center**

There was nothing to report.

#### **Justice Behavioral Health Committee**

Maxson stated there were provider list changes coming up and there is money for mental health providers. He said the new requirements for providers include a program plan. He stated the Committee is trying to have more involvement with prison reform.

### **c. Disciplinary/Non-Disciplinary Report / Licensure Statistics / Administrative Penalty Fees Assessed**

Chiles circulated the report for 2014 of discipline and non-disciplinary actions. She reported the following number of current licensees on probation:

LIMPH:	4
MSW:	3
LMHP:	8
CPC:	4
PLMHP:	4

Chiles reported the following exam statistics for 2014:

AMFTRB:	8 passed
NCE:	86 passed, 21 failed
ASWB:	57 passed, 24 failed
NCMHCE-DM:	8 passed, 14 failed
NCMHCE-IG:	20 passed, 2 failed

Chiles reported the following administrative penalties for 2014:

MHP:	\$ 780
PLMHP:	\$ 100
CSW:	\$1,300

Chiles reported the following active licensees as of 1/8/2015:

LIMHP	1193
LMHP	2542
MFT	89
MSW	851
CMSW	25
CPC	1021
PMSW	179
PLMHP	954
SW	521

Chiles provided statistics on those who held more than one license and/or license and certificate:

LIMHP and LMHP:	844
LIMHP and MSW:	326
LIMHP and CPC:	454
LIMHP and MFT:	58
LMHP and MSW:	753
LMHP and CPC:	914
LMHP and MFT:	75

2:04 p.m. - Feyen departed meeting

Chiles reported on those who hold an alcohol and drug license and a mental health credential:

LADC/PLADC and LIMHP:	278
LADC/PLADC and MFT:	8
LADC/PLADC and MSW:	68
LADC/PLADC and LMHP:	439

Maxson asked if he could have a count by county and Chiles stated she would provide it at the next meeting.

**d. Other**

Battleson stated AMFTRB was having its annual meeting in Boston and he would like to attend.

**10. ADJOURNMENT**

Maxson adjourned the meeting of the Board of Mental Health Practice at 2:13 p.m.

Respectfully Submitted,

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Susan Feyen, Secretary  
Board of Mental Health Practice

**Next Meeting: March 13, 2015**

Summarized by: Nancy Herdman, Health Licensing Coordinator, Licensure Unit